

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JERMAIN HAYTHE,

Plaintiff,

-against-

THE CITY OF NEW YORK; COMMISSIONER MARTIN
F. HORN; CORRECTIONS CAPTAIN JOHN DOE # 1;
C.O. LAW; C.O. MORGAN; and C.O. JOHN DOES # 1-5;
the individual defendants sued individually and in their
official capacities,

Defendants.

**DECLARATION OF SERVICE
OF SUMMONS AND
COMPLAINT ON
DEFENDANTS CITY OF
NEW YORK & MARTIN F.
HORN**

07 CV 8349 (RHB) (MHD)

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I, MICHAEL OLIVER HUESTON, declare, pursuant to 28 U.S.C.
§ 1746, under penalty of perjury as follows:

1. I am not a party to this action, I am over 18 years of age, and I
reside in the State of New York. On September 28, 2007, at approximately 2:15 p.m., I
served the summons and complaint in this matter on defendants CITY OF NEW YORK
and MARTIN F. HORN by delivering a copy of same to DOCKET CLERK TAMEKIA
MENDES-GAMMON, a person of suitable age and discretion at defendants' place of
business, within the state, at LAW DEPARTMENT OF THE CITY OF NEW YORK,
100 Church Street, New York, New York. This person is a Black female, approximately
25 years old, and approximately 5' 7" tall.

2. Thereafter, on September 28, 2007, I mailed a copy of the
summons and complaint post paid by first class mail properly addressed to the defendants
at the aforementioned address in an envelope marked personal and confidential and not
indicating that the communication was from an attorney or concerned an action against
the defendants and deposited said envelope in a post office official depository under
exclusive care of the United States Postal Service.

Dated: New York, New York
October 3, 2007

MICHAEL O. HUESTON (MH 0931)
350 Fifth Avenue, Suite 4810
New York, New York 10118